

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ERIC OLSON, et al.,
Plaintiffs,

v.

DARREN PEREZ,
Defendant.

Case No. [24-cv-03697-EJD](#) (VKD)

**ORDER RE JULY 10, 2025
DISCOVERY DISPUTE**

Re: Dkt. No. 63

Third-party intervenor World Financial Group Insurance Agency, LLC (“WFGIA”) and plaintiffs Eric and Sandra Olson and Global Financial Impact LLC (“GFI”) ask the Court to resolve a dispute concerning WFGIA’s request for access to a complete copy of the transcript and video of defendant Darren Perez’s deposition in this action and all exhibits to the deposition. Dkt. No. 63. The Court held a hearing on this matter on July 22, 2025. Dkt. No. 65.

On January 30, 2025, WFGIA filed a motion to intervene in this action. Dkt. No. 44. On March 10, 2025, the presiding judge granted in part the motion to intervene, as follows:

The Court finds limited intervention by WFG to obtain discovery in this case appropriate in light of the substantial overlap of the factual issues in this case and the co-pending action involving WFG, Eric and Sandra Olson, and Global Financial Impact, LLC. *See Sandra Olson and Global Financial Impact, LLC v. World Financial Group Insurance Agency, LLC*, No. 5:24-cv-00477 (the “GFI Action”).

Accordingly, WFG’s motion to intervene is **GRANTED IN PART**. ***Plaintiffs in this case shall provide WFG with discovery received to date that is directly relevant to issues pending in the GFI Action.*** WFG shall also be permitted to attend future depositions in this case to the extent those depositions cover material directly relevant to issues pending in the GFI Action.

1 Dkt. No. 53 (emphasis added).

2 Unbeknownst to WFGIA or the presiding judge, while WFGIA's motion to intervene was
 3 pending, on February 19, 2025 plaintiffs took Mr. Perez's deposition. Dkt. No. 68-2 at ECF 2.
 4 During that deposition, plaintiffs marked three exhibits and Mr. Perez testified about all three.
 5 Dkt. No. 63 at 1. On April 11, 2025, plaintiffs provided WFGIA with a copy of Mr. Perez's
 6 deposition transcript but withheld one of the three exhibits, Exhibit 1. *Id.* at 5. Plaintiffs also
 7 redacted several lines of Mr. Perez's testimony about the contents of that exhibit. *Id.* According
 8 to plaintiffs, Exhibit 1 is a screenshot of a privileged communication between Mr. Olson and his
 9 attorney that Mr. Perez acquired without authorization after the Olsons terminated his
 10 employment. *Id.*; *see also* Dkt. No. 9 at 2-3.

11 In their discovery dispute letter, WFGIA and plaintiffs debate several issues, including: (1)
 12 whether WFGIA has "standing" to demand access to a complete and unredacted copy of the Perez
 13 deposition materials, (2) whether Exhibit 1 is a privileged communication and/or whether any
 14 such privilege was waived, and (3) whether the Court should conduct an *in camera* review of the
 15 disputed materials. *See generally* Dkt. No. 63. However, in the Court's view, this dispute may be
 16 resolved by applying and enforcing the terms of the March 10, 2025 order, which provides that
 17 WFGIA may receive discovery obtained in this case that is "directly relevant" to issues in the GFI
 18 Action.

19 WFGIA claims that "it is beyond peradventure" that the entirety of Exhibit 1 and Mr.
 20 Perez's testimony about it are directly relevant to issues in the GFI Action. *Id.* at 2. WFGIA's
 21 premise appears to be that the operative complaint in that action alleges that WFGIA used the
 22 privileged communication and other documents to tortiously interfere with GFI's business
 23 relationships. However, a careful reading of the operative complaint in the GFI Action suggests
 24 that the tortious interference claims are not based on WFGIA's access to or use of the contents of
 25 the privileged communication in Exhibit 1 but on other conduct, such as WFGIA's access to and
 26 use of confidential communications between GFI and insurance provider NLG, and its alleged
 27 efforts to prevent agents from working for GFI. *See GFI Action*, No. 24-0477, Dkt. No. 179
 28 ¶¶ 109-116, 132-139. While the existence of Exhibit 1, the means used by Mr. Perez to obtain it,

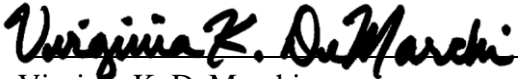
1 and whether or under what circumstances it came to be in WFGIA's possession are certainly
2 issues relevant to the allegations made by Ms. Olson and GFI in the GFI Action, *see id.* ¶¶ 78, 81,
3 the Court is not persuaded that the contents of the privileged communication itself are "directly
4 relevant" to any claim or defense in that action.

5 As WFGIA is entitled to receive discovery that is "directly relevant" to issues in the GFI
6 action, it should be permitted access to Exhibit 1 and Mr. Perez's testimony about that exhibits
7 sufficient to permit WFGIA to defend against Ms. Olson's and GFI's claims that Mr. Perez
8 obtained Exhibit 1, without authorization, possibly at WFGIA's behest, and shared it with WFGIA
9 or its agents. Thus, the Court orders plaintiffs to produce Exhibit 1 to WFGIA with only the
10 specific privileged content redacted; plaintiffs may not redact from the document information that
11 would ordinarily be disclosed on a privilege log, such as the portions of the document that show
12 the sender, author, recipients, date, and general subject matter (e.g., a "re" line). Likewise, the
13 Court orders plaintiffs to produce a copy of the transcript of Mr. Perez's deposition with only
14 descriptions of the privileged content redacted; plaintiffs may not redact from the transcript
15 information that would ordinarily be disclosed on a privilege log. The Court will not require
16 plaintiffs to produce the video (in redacted form) of Mr. Perez's deposition at this time. If and
17 when WFGIA identifies a need for the video in addition to the transcript, it may raise this issue
18 with the Court, after first conferring with plaintiffs.

19 Plaintiffs must produce to WFGIA redacted versions of Exhibit 1 and Mr. Perez's
20 deposition transcript, in conformity with the directions in this order, no later than **August 5, 2025**.

21 **IT IS SO ORDERED.**

22 Dated: July 28, 2025

23
24 
25 Virginia K. DeMarchi
26 United States Magistrate Judge
27
28